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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

Eastern DIVISION

(Write the full name of the plaintiff in this action.  
Include prisoner registration number.)

Howell, Alexander E III  
v.  
Saint Louis City, Saint Louis County,  
Ms. Brim, Dr. Sizikie, Lt. Brock,  
Mr. Smith, J. Barnes, Amy McKinney,  
Mary Holgate, Tim Ishmon, S. Maddox,  
Mildred Winston, L. Johnson, Roberta  
Gordon, Chris Incense

(Write the full name of each defendant. The caption  
must include the names of all of the parties.  
Fed. R. Civ. P. 10(a). Merely listing one party and  
writing "et al." is insufficient. Attach additional  
sheets if necessary.)

Case No: \_\_\_\_\_  
(to be assigned by Clerk of District Court)

Plaintiff Requests Trial by Jury  
☒ Yes ☐ No

**PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983**

NOTICE:

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.

Except as noted in this form, plaintiff should not send exhibits, affidavits, witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed without prepayment of fees and costs.

**I. The Parties to this Complaint**

**A. The Plaintiff**

Name: Alexander E Howell III

Other names you have used: Alexis Xa'Leena Alexander Howell, Lexii

Prisoner Registration Number: 229043, 173196

Current Institution: Saint Louis City Justice Center

Indicate your prisoner status:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Pretrial detainee | <input type="checkbox"/> Convicted and sentenced state prisoner   |
| <input type="checkbox"/> Civilly committed detainee   | <input type="checkbox"/> Convicted and sentenced federal prisoner |
| <input type="checkbox"/> Immigration detainee         | <input type="checkbox"/> Other (explain): _____                   |

**B. The Defendant(s)**

To the best of your knowledge, give the information below for each defendant named in the caption of this complaint. Make sure the defendant(s) named below are the same as those listed in the caption of this complaint. Attach additional pages if necessary.

For an individual defendant, include the person's job title, and check whether you are suing the individual in his or her individual capacity, official capacity, or both.

**Defendant 1**

Name: Chris Incense

Job or Title: City Correctional Officer

Badge/Shield Number: N/A

Employer: Saint Louis City Justice Center

Address: 200 S. Tucker Blvd

☒ Individual Capacity ☐ Official Capacity

Defendant 3: Dr. Sizikie

Job title: Psychiatrist

Badge/shield #: N/A

Employer: STL City Justice Center

Address: 200 S. Tucker Blvd.

individual capacity only

Defendant 4: Roberta Gordon

Job title: Careworker

Badge/shield #: N/A

Employer: STL City Justice Center

Address: 200 S. Tucker Blvd.

individual and official capacity

Defendant 5: Lt. Brock

Job title: Lieutenant

Badge/shield #: N/A

Employer: STL City Justice Center

Address: 200 S. Tucker Blvd.

individual and official capacity

Defendant 6: J. Barnes

Job title: Accreditation Manager

Badge/shield #: N/A

Employer: STL County Justice Services

Address: 100 S. Central Ave.

individual and official capacity

Defendant 7: Tim Ishmon

Job title: Major

Badge/shield #: N/A

Employer: STL County Justice Services

Address: 100 S. Central Ave.

official capacity only

Defendant 8: S. Maddox

Job title: Sergeant

Badge/shield #: N/A

Employer: STL County Justice Services

Address: 100 S. Central Ave.

individual capacity only

Defendant 9: Amy McKinney

Job title: PREA Coordinator

Badge/shield #: N/A

Employer: STL County Justice Services

Address: 100 S. Central Ave.

individual and official capacity

Defendant 10: L. Johnson

Job title: County Correctional Officer

Badge/shield #: JS0564

Employer: STL County Justice Services

Address: 100 S. Central Ave.

individual and official capacity

Defendant 11: Mildred Winston

Job title: County Correctional Officer

Badge/shield #: JS1462

Employer: STL county Justice Services

Address: 100 S. Central Ave.

Individual and official capacity

Defendant 12: Mr. Smith

Job title: Acting Director

Badge/shield #: N/A

Employer: STL county Justice Service

Address: 100 S. Central Ave.

Official capacity

Defendant 13: Mary Holtgate

Job title: Mental Health Social Worker

Badge/shield #: N/A

Employer: STL County Justice Services

Address: 100 S. Central Ave.

Official Capacity

Defendant 14:

Job title:

Badge/shield #:

Employer:

Address:

Defendant 15:

Job title:

Badge title:

Employer:

Address:

**Defendant 2**

Name: Ms. Brim

Job or Title: Housing Unit Manager

Badge/Shield Number: \_\_\_\_\_

Employer: Saint Louis City Justice Center

Address: 200 S. Tucker Blvd.

☐ Individual Capacity

☒ Official Capacity

**II. Statement of Claim**

Type, or neatly print, a short and plain statement of the **FACTS** that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

On the account of Saint Louis City, Saint Louis County, and its employees, I am being discriminated against, harassed, threatened or being killed, and raped/sexually assaulted by the hands and will of another inmate. It all began February 15, 2021. February 15, 2021 I was booked for burglary, stealing, and property damage. When I arrived I was housed with men. Due to being consistently sexually harassed by an inmate I moved to the infirmary for housing. During my medical screening, the doctor tried to force me to take my cups off and I refused. After being escorted back to my room, Lt. Brock became the devil.

In the month April, <sup>2021</sup> I began receiving medication that was previously prescribed before my incarceration. Those medications were for anxiety and depression. Around this time an officer (L. Johnson, JS0564) and I began getting into it because she started informing me of being an "abomination". I of course informed the officer it is my religious right to be or feel other than my assigned sex. I also informed her "I have the right to be gay" and to "stop calling me names."

There became several situations where I began getting punished for "disrespect toward any staff member" because I would respond to this officers negativity. I became aggressive and so disrespectful. I was diagnosed with being bipolar. I now take mood stabilizers to help control my behavior. Due to the officers continuation of intentional emotional distress, I began writing grievances in May. <sup>2021</sup> The grievances consisted of how she continued to sexually harass me and how she began to refuse to provide assistance for ordinary needs.

All of the verbal harassment and puts of being called a "thing", "it", "Sir", "boy" and "abomination" began making feel less than human. My anxiety got worse as I began to feel light headed and started to feel as if my air was tightening in my chest.



I was then prescribed an emergency inhaler and given coping techniques for stress. By the time June <sup>2021</sup> came around, I informed mental health of thoughts to castrate and Flash backs of being raped by my cousin. I began having suicidal thoughts but didn't tell anyone, although this led to me writing sick calls and mental health slips to resort to therapy or some kind of counseling.

In August, I met a mental health social worker by the name of Mary Holtgate. She informed me that "the therapist left" as in no longer works for the facility, although, she would see about receiving therapy or counseling. In another meet between the two of us I was informed I "should be seeing a therapist by next week." This never happened. I began writing grievances for therapy and counseling.

Back in September an inmate and I was discussing some rumors I was thinking about reporting due to staff or inmate sexual misconduct. Some how the involved officer found out and on September 20, 2021 came to my cell at night and made the life threat "when you fuck with my job, it fucks with my money, and when you fuck with my money, it fucks with my children, then my

grandchildren and you see it trickle on down. I kill behind my job and my family." This struck a fear in me where I began to have sleep issues. That night I filed a prea report which came out as unsubstantiated due to the lack of evidence. The sergeant was last ordered to no longer work in ER housing unit (as it is documented in coordination with Grievance #21000173 and its response from the Major). He continues to enter the housing unit, although making no verbal communication, but positively visual contact. The last comment made by the sergeant was "Focus on that civil suit you working on." My concern is that was a secondary threat.

An inmate that was close associates with the sergeant spoke with him the next day before he was no longer allowed to be in ER housing unit. After that moment, she began harassing me over my gender. Previous to this I have been begging to be housed with another set of women. It took a 4 month begging session and for an inmate to harass me to be moved, only to another isolation pod. The only difference was I was being housed in the quarantining pod anymore with inmates who wasn't covid negative or had taken the tests yet.



After using the law library, I learned about gender dysphoria and made request to be clinically screened for it, but was denied. Along with the therapy/counseling complaints and appropriate housing, I wrote grievances. I even spoke to a corrections medicine staff (nurse) who advised me to "practice the stress relief techniques" and walked away.

While still September an Officer that are close buddies to the sergeant and play "mom" to the inmate would also harass me and call me names such as L. Johnson. She added words "Fag" and "Faggot" and told me inmate have to "guard that ass when you go to prison". Of course I wrote grievances and some days argued. It became so bad she would come over my intercom and harass me or talk about me on another inmates intercom. A lot of grievances began coming up missing. On some occasions from the officers I would be ignored, even if I pressed the medical emergency button, and they wouldn't know my need. One day L. Johnson was confronted by me and she stated "I don't care if you bleeding to death. Don't talk to me."

As the issues continued, the major, Tim was continuously notified. He claims to remind the "trained professionals" to remain professional as he quoted to me in person and that's documented on a few of my grievance response forms. There were two occasions where Officer Winston stated "Isomon ain't gone do shit" in front of him and he made no supervisory abations to reconcile the moment, nor was the officer disciplined. When a complaint is made he instead would use the handbook for inmates to justify their actions and reasoning for our discipline. This of course also would lead to me writing grievances for being punished when there is a consistent pattern of discrimination and harassment and failure to discipline. He would then use an official policy in the Grievance Procedure rules on page 19 stating "Disciplinary sanctions administered to you by an officer are not grievable issues as long as they are within departmental guidelines," (rule 11). We inmates don't know the departmental guidelines as under the Inmate Rights And Privileges second rule, we have the right "To be informed of facility rules and regulations."

Because of Tims failure to supervise, train, and discipline the officers, not only I suffered deliberate antagonization, but two other inmates that communicate with me did as well. They were ignored and talked about sexually pertaining the breast. In September I became severely depressed and started attempting suicide secretly, by starvation, drinking cleaning supplies, and even strangling my neck with a do-rag.

(Also in August I was provided no explanation other than "safety concerns" of why I could not be housed in general population with my gender identity class; women.) The entire time I had been in custody of Saint Louis County, I have been hidden in the isolation pod. Compared to being in general population where we get at least 6 hours out isolation gets 2. Sometime in August, I began hearing voices. The two voices try to compel against each other; whether to commit suicide or not. I still hear them.

Still receiving no therapy or counseling, October 4, 2021, I went to Saint Louis City Justice Center on a writ. Upon arrival, I identified as a female due to multiple previous arrests and incarcerations. There are many



photos of me with feminine characteristics. After a six to eight hour begging session with classification and the housing unit manager, Mr. Brim; Lt. Brock, and mental health social worker Ms. ~~Clute~~; I was forced to again remove my implants, feminine undergarments, and to house with men.

On October 5, 2021, I was being mentally screened by the psychiatrist, Dr. Sizikie when she addressed me by "sir." I informed her of my gender preference terms I would like to be called by or to call me by my name. She refused. I went to inform an officer and she told both the officer and I she don't need me and she refused to screen me. after continuously antagonize calling me "sir" and being redirected. I received no screening until October 18, 2021. Because of this, I received no medication for atleast a week. When I did, it wasn't the proper dosage & some medications weren't received at all.

The next day on October 6, 2021, an inmate and I were talking while sitting at the dayroom tables. The inmate questioned some guy later identified as Dwayne White (inmate 169115) why he was pacing around near my

door. Dwayne then disappeared 5 minutes later. At some point in time I went to talk to the inmate in cell 18. While talking for nearly an hour we discussed officer Incense being on Facebook on the city's computer. At one point I even walked up on him while he was on it.

While inmate belonging to cell 18 and I were talking I excused myself to use the restroom. When I made it to my cell, it appeared as I left it, cracked cell door and lights off. When I went inside, as I was heading to turn on the cell light, I noticed a black figure standing by my cell's table. I took a step back being startled. The figure snatched my arm while saying "I'm tryna see what you on". I was snatched so hard I had to catch myself with my left. When I was close I could see it was the same guy pacing by my cell. I tried snatching my arm away, but he had a grip that was too tight.

He forced me to jack him off while holding me with his left hand. He poured oil on his penis while I jacked



him off. Then he said "im tryna see what you on" and began putting his penis on my lips. When he started caressing my face, I ran over to the door and opened it. I spoke in a low tone "just leave and we'll pretend this never happened." While jacking off he replied "naw, im tryna see what you on." I said for the last time "come on just leave and we'll pretend this never happened." He finished jacking off and began wiping the tip of his penis. I then made a threat "Get out and dont come back or imma fuck you up." He stopped from walking away and I snatched my shirt off while outside the cell (39) on the mezzanine level. The inmate I was talking to at the dayroom table separated us. A second inmate (cell 24; dorm rep) locked Pwayne in cell 30. The officer, Chris Ince, watched and said nothing or even got involved, instead resuming his computer activity. The dorm rep reported this to care worker Roberta Gordon, who is also a St. City Justice Centers recent correctional officer. Instead of acting as a responder, or in following

official policies to report the incident she waited 4 hrs. Only reporting it after I told mental health social worker Ms. Blots whom reported it to Ms. Gordon. This date is October 8, 2021. On October 8, 2021, I also reported the incident and placed the offender on rec alone unofficially. She then also reported it to her supervisor, when she entered the housing unit, I gave her two grievances pertaining to the incidents. October 12, 2021 came and Ms. Gordon escorted me to her office to wait on Ms. Brum, then to another room where Ms. Brum asked if two more caseworkers could join. Here I was questioned to file a prea report. Along with this Ms. Brum trained caseworker Gordon and the other two caseworkers on how to respond to sexual assaults, how to fill out a prea incidents reports, and how to respond to prea incidents verbal of the mouth. On October 13, 2021, I made a police report with a Public Safety Officer at 11:35 am. After Duwayne spoke to the officer, he stalked me in my window later

that day. The incident was reported to the on duty officer who stated she would keep watch of him.

On October 18, I met with Dr. Sizikie again for a second time to get my mental health screening. She referred to me as "Sir" and I again corrected. She then stated "Sir, ma'am, or whatever you wanna be called." On October 19, I took my last proper dosage of medication.

On October 20, 2021, I returned back to Saint Louis County Justice Center. I was placed in my original cell in isolation but now with exacerbated mental issues. After discussing the incident with Amy McKinney, PREA Coordinator, I informed her and mental health staff of thoughts of self castration.

On October 29, 2021, I spoke to J. Barnes, the Accreditation Manager. We discussed housing in general population with women. She completely is enforcing a policy incorrectly and is discriminating against me. She stated "I can't let that happen. You know why, because of whats between your legs." PREA Guidelines states "In deciding whether to assign a



transgender or intersex to a Facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmates health and safety, and whether the placement would present management or security problems," as well as "Housing assignments for transgender or intersex offenders shall not be made based solely on genitalia...". As both facilities ignore CER 115.42 and Salco ignore 115.42 and 115.43, while still speaking to Mr. Kerner, I bring up the counseling and therapy for the sexual assault. She prints me out some self healing documents.

On November 9, I attempted suicide by trying cut my wrist. I cut my arm open 14 times. On November 10, Mary Holgate admitted to the infirmary. I still have not yet received any therapy and continue to write grievances. The actions of STL city and county employees show they don't care. I pray many employees may burn in hell.

From June to now I write grievances to the director, as well as letters complaining

13th page  
there is no therapist or rehabilitative programs when there should be. It is guaranteed in the inmate handbook on page 41 under Mental Health Services. He fails to supervise his officers.



① L. Johnson, Mildred Winston, Dr. Sizikie

- Intentional infliction of emotional distress

All 1 of these personnel consistently called me transphobic offensive names and proceeded to antagonize me directly or over the intercom. At times I was completely ignored. Both officers did this knowing I would react out of anger, depression, or stress; also knowing I would possibly get written up for "disrespecting" them.

② Chris Incense:

- Failure to protect claim

This official sat on Facebook knowing he was putting inmates potentially at risk. He also let out 20-30 inmates at a time while he was the only on duty officer. Had this official been supervising the inmates, Dwayne as would've never entered my cell and sexually attacked me.

③ Dr. Sizikie:

- Failure to provide adequate medical care

If the doctor wouldn't have cancelled my screening due to gender discrimination, then I would've been receiving the proper medication and may have felt more controlling of my emotions.

④ Lieutenant Brock: Excessive Force

This officer maced me on a suicidal call unnecessarily, not following protocol. He used it to retaliate for cracking the infirmary windows after I was in the restraint chair.

⑤ Tim Ishmon, Ms. Barnes, Ms. Bram, Amy McKinney, Roberta Gordon: Failure to be trained, to train, supervise, or discipline officers

Tim - Did not discipline Winston or Johnson allowing them to abuse authority.

Barnes - Discriminated housing by genitalia wrongfully enforcing rules of PREA CFR 115.42.

Amy - Discriminated housing by genitalia wrongfully enforcing rule of PREA CFR 115.42.

Bram - Had ~~for~~ Gordon been trained properly she would have immediately took 1st responder actions of PREA and or reported it immediately.

Instead she was trained after my sexual assault  
Gordon - Was not trained properly to handle a sexual assault as a first responder. She also chose not to inform anyone until 2 days later.

Bram - she also enforced PREA in an unconstitutional manner

16th page

⑥ Lieutenant Brock, Team: Deprivation of Liberty

- Both of these individuals forced me to remove my breast implants. As a transgender, that is an expression of choice. So the same for wearing panties and bras.

⑦ Saint Louis County and City:

- failure to supervise officials through facility intercoms

Covering - Had audio been recording over intercoms, officials could not get away with intentionally antagonizing inmates and less incidents would come back unsubstantiated

city - Had stl city intercoms worked, I could've hit the button in an emergency use before and or during the sexual assault

⑧ Mary Holgate: Cruel and Unusual Punishment

- shortness in staff is no excuse why I am not able to receive therapy/counseling. I been waiting since July for treatment.

⑨ Director of STICO Justice Center; Smith:

- lack of rehabilitative programs
- supervision and management of facilities operation (locking in)

17th page

There should be some sort of counseling or therapy to provide me with as a sexual assault survivor. It is in the sexual assault survivors bill of rights. St. Louis Justice Center has none. There should be better management and supervision in how every official understands the policies and enforce them, especially PREA Federal codes.

If Excessive Force and officials were properly trained to deal with transgressors and were being properly supervised,

- 1) I probably wouldn't be afraid to speak up about suicide;
- 2) would have less stress issues
- 3) wouldn't feel hopeless and beat myself up mentally or physically
- 4) would feel more human
- 5) wouldn't be as emotionally distressed
- 6) I probably wouldn't of been raped
- 7) would be receive some type of counseling or therapy
- 8) would have more probable chance of a substantiated investigation than unsubstantial
- 9) would feel more protected
- 10) less discriminated against



Just because I refused to hand over my breast implants. I was maced by Lt. Brock. I then became angry giving up the implants and cracking the infirmary windows. As a punishment for cracking the windows I was placed in the restraint chair. A few hours later after being returned to my room, I made a report to being suicidal and was then maced by Lt. Brock again. I know from policy that a suicidal individual shouldn't be maced unless it is necessary after given directives to comply, in which was not given until after. I was told to "take that shit off" as my directive after being maced. I should have been given directives to comply to be placed in a restraint chair then later told to put a smock on and placed in the appropriate environment. I was released some weeks later.

On March 25, 2021, I was arrested by Brentwood police officers for a robbery and fleeing from the police. Immediately during the intake and processing assessment, I identified as a female. I was immediately forced to remove my implants and was then housed in the infirmary. One of the days I met the PREH Coordinator, Amy McKinney, whom informed me of my rights as a transgender and that they have a Zero Tolerance sexual assault policy. It was also understood I would be housed with women in which I was in administrative segregation.

-continued on  
separate sheets

### III. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I sustained sexual flashbacks, exacerbating anxiety, depression, headaches, sleep disturbance, and hate for my penis, all penises. I tend to feel guilty and suicidal, dirty and unwanted, unloved. I fixate on my inadequacies. I feel like I have more than one or two personalities. My medications for anxiety increased. I've been diagnosed with being bipolar. I am now medicated for it. I have an emergency inhaler for anxiety. I still haven't received sexual assault therapy/counseling.



#### IV. Relief

State briefly and precisely what you want the Court to do for you. Do not make legal arguments. Do not cite any cases or statutes. If you are requesting money damages, include the amounts of any actual damages and/or punitive damages you are claiming. Explain why you believe you are entitled to recover those damages.

I believe I am entitled to 1.5 million dollars for the post trauma I am suffering. Sufferization from sleep insomnia, exacerbated anxiety and depression, suicidality attempts and thoughts, and castration attempts. This physically and mentally affected me. The city and county has discriminated against

#### V. Exhaustion of Administrative Remedies/Administrative Procedures

The Prison Litigation Reform Act ("PLRA") 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒

Yes

☐

No

If yes, name the jail, prison or other correctional facility where you were confined at the time of the events giving rise to your claim(s):

Saint Louis City and County

- B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

☒

Yes

☐

No

☐

Do not know

- C. If yes, does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claims?

☒

Yes

☐

No

☐

Do not know

If yes, which claim(s)?

- 1) sexually assaulted
- 2) sexual harassment
- 3) needing sexual assault therapy
- 4) mental health screening discrimination
- 5) life threatened

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒

Yes

☐

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐

Yes

☐

No

E. If you did file a grievance:

1. Where did you file the grievance?

St. Louis City Justice Center & St. Louis Justice Center

2. What did you claim in your grievance? (Attach a copy of your grievance, if available)

3. What was the result, if any? (Attach a copy of any written response to your grievance, if available)

- 1) Plea investigation was conducted
- 2) Nothing
- 3) Nothing
- 4) Screened two weeks later
- 5) Sergeant no longer suppose to work on JB

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (*Describe all efforts to appeal to the highest level of the grievance process.*)

When I attempted to appeal  
I wouldn't get an answer back  
or I was told I waited too long.  
But how if I received does, later.  
A lot of times I just wouldn't get  
a response. Every time it was one of  
the two.

- F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I've written letter to  
administrators and still  
nothing.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

**VI. Previous Lawsuits**

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

- A. To the best of your knowledge, have you ever had a case dismissed on the basis of this "three strikes rule"?

☒ Yes

☐ No

If yes, state which court dismissed your case and when it was dismissed. Attach a copy of the court's order, if possible.

United States District Court  
October 24 2021

Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff Alexander Howell

Defendant(s) Department of Justice Services et al

2. Court (if federal court, name the district; if state court, name the state and county)

United States District Court Eastern  
District of Missouri Eastern  
Division

3. Docket or case number 4:21-cv-1000-HEA

4. Name of Judge assigned to your case Henry Edward Aubrey

5. Approximate date of filing lawsuit 8/10/21
6. Is the case still pending?
- ☐ Yes
- ☒ No (If no, give the approximate date of disposition): \_\_\_\_\_
7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
- Terminated (dismissed)
- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?
- ☐ Yes ☒ No
- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)
1. Parties to the previous lawsuit
- Plaintiff \_\_\_\_\_
- Defendant(s) \_\_\_\_\_
2. Court (if federal court, name the district; if state court, name the state and county)
3. Docket or case number \_\_\_\_\_
4. Name of Judge assigned to your case \_\_\_\_\_
5. Approximate date of filing lawsuit \_\_\_\_\_



6. Is the case still pending?

☐ Yes

☐ No (If no, give the approximate date of disposition): \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

## VII. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Plaintiff

